



Entered on Docket
October 23, 2006

Hon. Linda B. Riegle
United States Bankruptcy Judge

Annette W. Jarvis, Utah Bar No. 1649
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Telephone: (801) 532-1500
Facsimile: (801) 532-7543
Email: ajarvis@rqn.com

and
Lenard E. Schwartzer
Nevada Bar No. 0399
Jeanette E. McPherson
Nevada Bar No. 5423
Schwartzer & McPherson Law Firm
2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Telephone: (702) 228-7590
Facsimile: (702) 892-0122
E-Mail: bkfilings@s-mlaw.com
Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:
USA COMMERCIAL MORTGAGE COMPANY,

Debtor.

Case No. BK-S-06-10725 LBR
Case No. BK-S-06-10726 LBR
Case No. BK-S-06-10727 LBR
Case No. BK-S-06-10728 LBR
Case No. BK-S-06-10729 LBR

In re:
USA CAPITAL REALTY ADVISORS, LLC,

Debtor.

Chapter 11
Jointly Administered Under
Case No. BK-S-06-10725 LBR

In re:
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

Debtor.

In re:
USA CAPITAL FIRST TRUST DEED FUND, LLC,

Debtor.

In re:
USA SECURITIES, LLC,

Debtor.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

**ORDER GRANTING MOTION TO
REJECT PERSONAL PROPERTY
LEASES [AFFECTS USA
COMMERCIAL MORTGAGE
COMPANY]**

Date: September 28, 2006
Time: 9:30 a.m.

1 The Motion To Reject Personal Property Leases USA Commercial Mortgage Company
2 having come before this Court on September 28, 2006, USA Commercial Mortgage ("USACM")
3 appearing by and through its counsel, Jeanette E. McPherson, Esq. of Schwartzer & McPherson
4 Law Firm, other appearances having been made upon the record, the Court having reviewed the
5 pleadings and the argument of USACM, and there being no opposition, it is hereby

6 ORDERED that the Motion To Reject Personal Property Leases is granted and each of the
7 leases listed on the Schedule of Leases attached as Exhibit A to Exhibit 1 to the Motion are hereby
8 rejected, and the leased computers shall be surrendered to the lessors after all of the Debtors' data,
9 if any, has been removed and stored.

10 Submitted by:

Approved / Disapproved by:

11 **OFFICE OF THE U.S. TRUSTEE**

12 Jeanette E. McPherson
13 Lenard E. Schwartzer, Nevada Bar No. 0399
14 Jeanette E. McPherson, Nevada Bar No. 5423
15 SCHWARTZER & MCPHERSON LAW FIRM
16 2850 South Jones Boulevard, Suite 1
17 Las Vegas, Nevada 89146
18 and

19 Annette W. Jarvis, Utah Bar No. 1649
20 Steven C. Strong, Utah Bar No. 6340
21 RAY QUINNEY & NEBEKER P.C.
22 36 South State Street, Suite 1400
23 P.O. Box 45385
24 Salt Lake City, Utah 84145-0385

25 *Attorneys for Debtors and Debtors-in-Possession*

26 Approved/Disapproved by:
27 **LEWIS AND ROCA, LLP**

28 Approved by:
29 **STUTMAN TREISTER & GLATT, P.C.**
30 and **SHEA & CARLYON, LTD.**

31 By:
32 SUSAN M. FREEMAN, ESQ.
33 ROB CHARLES, ESQ.
34 *Counsel for the Official Committee of*
35 *Unsecured Creditors of USA Commercial*
36 *Mortgage Company*

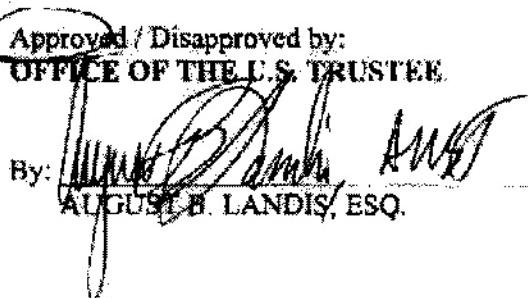
37 By:
38 FRANK MEROLA, ESQ.
39 EVE KARASIK, ESQ.
40 CHRISTINE PAJAK, ESQ.
41 CANDACE C. CARLYON, ESQ.
42 *Counsel for the Official Committee of Equity*

1 The Motion To Reject Personal Property Leases USA Commercial Mortgage Company
2 having come before this Court on September 28, 2006, USA Commercial Mortgage ("USACM")
3 appearing by and through its counsel, Jeanette E. McPherson, Esq. of Schwartzer & McPherson
4 Law Firm, other appearances having been made upon the record, the Court having reviewed the
5 pleadings and the argument of USACM, and there being no opposition, it is hereby

6 ORDERED that the Motion To Reject Personal Property Leases is granted and each of the
7 leases listed on the Schedule of Leases attached as Exhibit A to Exhibit 1 to the Motion are hereby
8 rejected, and the leased computers shall be surrendered to the lessors after all of the Debtors' data,
9 if any, has been removed and stored.

10 Submitted by:

Approved / Disapproved by:
OFFICE OF THE U.S. TRUSTEE

By: 
AUGUST B. LANDIS, ESQ.

13 Lenard E. Schwartzer, Nevada Bar No. 0399
14 Jeanette E. McPherson, Nevada Bar No. 5423
15 **SCHWARTZER & MCPHERSON LAW FIRM**
16 2850 South Jones Boulevard, Suite 1
17 Las Vegas, Nevada 89146
18 and

19 Annette W. Jarvis, Utah Bar No. 1649
20 Steven C. Strong, Utah Bar No. 6340
21 **RAY QUINNEY & NEBEKER P.C.**
22 36 South State Street, Suite 1400
23 P.O. Box 45385
24 Salt Lake City, Utah 84145-0385
25 *Attorneys for Debtors and Debtors-in-Possession*

26 Approved/Disapproved by:
LEWIS AND ROCA, LLP

Approved by:
STUTMAN TREISTER & GLATT, P.C.
and SHEA & CARLYON, LTD.

27 By: SUSAN M. FREEMAN, ESQ.

28 ROB CHARLES, ESQ.
*Counsel for the Official Committee of
Unsecured Creditors of USA Commercial
Mortgage Company*

By: FRANK MEROLA, ESQ.

EVE KARASIK, ESQ.
CIRISTINE PAJAK, ESQ.
CANDACE C. CARLYON, ESQ.

*Counsel for the Official Committee of Equity
Security Holders of USA Capital First Trust
Deed Fund, LLC*

1 The Motion To Reject Personal Property Leases USA Commercial Mortgage Company
2 having come before this Court on September 28, 2006, USA Commercial Mortgage ("USACM")
3 appearing by and through its counsel, Jeanette E. McPherson, Esq. of Schwartzer & McPherson
4 Law Firm, other appearances having been made upon the record, the Court having reviewed the
5 pleadings and the argument of USACM, and there being no opposition, it is hereby

6 ORDERED that the Motion To Reject Personal Property Leases is granted and each of the
7 leases listed on the Schedule of Leases attached as Exhibit A to Exhibit 1 to the Motion are hereby
8 rejected, and the leased computers shall be surrendered to the lessors after all of the Debtors' data,
9 if any, has been removed and stored.

10 Submitted by:

Approved / Disapproved by:
OFFICE OF THE U.S. TRUSTEE

11
12
13 Lenard E. Schwartzer, Nevada Bar No. 0399
14 Jeanette E. McPherson, Nevada Bar No. 5423
15 SCHWARTZER & MCPHERSON LAW FIRM
16 2850 South Jones Boulevard, Suite 1
17 Las Vegas, Nevada 89146
18 and

19 Annette W. Jarvis, Utah Bar No. 1649
20 Steven C. Strong, Utah Bar No. 6340
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Attorneys for Debtors and Debtors-in-Possession

21 Approved/Disapproved by:
LEWIS AND ROCA, LLP

Approved by:
STUTMAN TREISTER & GLATT, P.C.
and SHEA & CARLYON, LTD.

22
23
24 By: *RG*
SUSAN M. FREEMAN, ESQ.
ROB CHARLES, ESQ.
*Counsel for the Official Committee of
Unsecured Creditors of USA Commercial
Mortgage Company*

Approved by:
FRANK MEROLA, ESQ.
EVE KARASIK, ESQ.
CHRISTINE PAJAK, ESQ.
CANDACE C. CARLYON, ESQ.
*Counsel for the Official Committee of Equity
Security Holders of USA Capital First Trust
Deed Fund, LLC*

1 The Motion To Reject Personal Property Leases USA Commercial Mortgage Company
2 having come before this Court on September 28, 2006, USA Commercial Mortgage ("USACM")
3 appearing by and through its counsel, Jeanette E. McPherson, Esq. of Schwartzer & McPherson
4 Law Firm, other appearances having been made upon the record, the Court having reviewed the
5 pleadings and the argument of USACM, and there being no opposition, it is hereby

6 ORDERED that the Motion To Reject Personal Property Leases is granted and each of the
7 leases listed on the Schedule of Leases attached as Exhibit A to Exhibit 1 to the Motion are hereby
8 rejected, and the leased computers shall be surrendered to the lessors after all of the Debtors' data,
9 if any, has been removed and stored.

10 Submitted by:

Approved / Disapproved by:
OFFICE OF THE U.S. TRUSTEE

11
12
13 Lenard E. Schwartzer, Nevada Bar No. 0399
14 Jeanette E. McPherson, Nevada Bar No. 5423
15 SCHWARTZER & MCPHERSON LAW FIRM
16 2850 South Jones Boulevard, Suite 1
17 Las Vegas, Nevada 89146
18 and

19 Annette W. Jarvis, Utah Bar No. 1649
20 Steven C. Strong, Utah Bar No. 6340
RAY QUINNEY & NEBEKER P.C.
36 South State Street, Suite 1400
P.O. Box 45385
Salt Lake City, Utah 84145-0385
Attorneys for Debtors and Debtors-in-Possession

21 Approved/Disapproved by:
LEWIS AND ROCA, LLP

Approved by:
STUTMAN TREISTER & GLATT, P.C.
and **SHEA & CARLYON, LTD.**

22
23
24 By: _____
25 SUSAN M. FREEMAN, ESQ.
26 ROB CHARLES, ESQ.
27 *Counsel for the Official Committee of
Unsecured Creditors of USA Commercial
Mortgage Company*

28
By: Eve H. Karasik
FRANK MEROLA, ESQ.
EVE KARASIK, ESQ.
CHRISTINE PAJAK, ESQ.
CANDACE C. CARLYON, ESQ.
*Counsel for the Official Committee of Equity
Security Holders of USA Capital First Trust
Deed Fund, LLC*

1 ORDER GRANTING MOTION TO REJECT PERSONAL PROPERTY LEASES
2 [AFFECTS USA COMMERCIAL MORTGAGE COMPANY]

3 Approved by:

4 **GORDON & SILVER, LTD.**

5 By:

6 *GERALD M. GORDON, ESQ.
7 GREGORY E. GARMAN, ESQ.
Counsel for the Official Committee of
8 Holders of Executory Contract Rights of
USA Commercial Mortgage Company*

Approved by:

BECKLEY SINGLETON, CHTD. and
ORRICK, HERRINGTON & SUTCLIFFE LLP

By:

MARC A. LEVINSON, ESQ.
LYNN TRINKA-ERNCE, ESQ.
ANNE M. LORADITCH, ESQ.
*Counsel for the Official Committee of
Equity Security Holders of USA Capital
Diversified Trust Deed Fund, LLC*

10 # # #
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

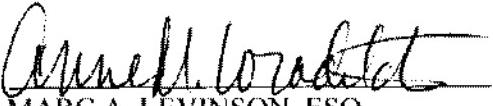
SCHWARTZER & MCPHERSON LAW FIRM
2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Tel: (702) 228-7590 • Fax: (702) 892-0422

1 **ORDER GRANTING MOTION TO REJECT PERSONAL PROPERTY LEASES**
2 **[AFFECTS USA COMMERCIAL MORTGAGE COMPANY]**

3 Approved by:
4 **GORDON & SILVER, LTD.**

5 By: _____
6 GERALD M. GORDON, ESQ.
7 GREGORY E. GARMAN, ESQ.
8 *Counsel for the Official Committee of
9 Holders of Executory Contract Rights of
USA Commercial Mortgage Company*

Approved by:
BECKLEY SINGLETON, CHTD. and
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 
MARC A. LEVINSON, ESQ.
LYNN TRINKA-ERNCE, ESQ.
ANNE M. LORADITCH, ESQ.
*Counsel for the Official Committee of
Equity Security Holders of USA Capital
Diversified Trust Deed Fund, LLC*

10 # # #

SCHWARTZER & MCPHERSON LAW FIRM
2850 South Jones Boulevard, Suite 1
Las Vegas, Nevada 89146-5308
Tel: (702) 228-7590 • Fax: (702) 892-0122